Chapter 5

Office Administration

5.1 Delinking from Government systems and practices in 2001 was an important milestone in the past twenty years' history of this Office.

5.2 Prior to that, the Office adopted civil service rules and practices and operated largely like a Government department. We had a fixed staff establishment comprising mainly civil servants on loan from Government. On the financial side, we were subject to stringent item-by-item expenditure control just as any department. This deprived the Office of autonomy and flexibility in resource planning and deployment.

5.3 Although the Office functioned smoothly under this arrangement, its independence was seen to have been compromised by its reliance on administrative and staffing support from Government. The fact that investigators of the Office were mainly civil servants who had to return Government departments after their term of secondment inevitably undermined the credibility and the impartial image of the Office. Such concern was repeatedly voiced by members of the public and Legislative Councillors. In response, to safeguard the integrity and independence of the Office, I raised with the Administration proposals to delink from Government staff and systems shortly after my succession as The Ombudsman in April 1999.

Independent Administration and Financial Management

5.4 On 19 December 2001, The Ombudsman Ordinance ("the Ordinance") was amended to establish The Ombudsman as a corporation sole with full powers to formulate and implement policies and procedures for administrative, financial and operational activities. In particular, The Ombudsman is empowered to recruit staff on such terms and conditions as may be determined by her and to build up a reserve of surplus not immediately required for spending.

5.5 Our workload is primarily driven by external factors beyond our control. Since delinking, The Ombudsman's ability to adjust her staff complement flexibly, recruit staff on terms and condition determined by her has enabled the Office to meet fluctuations in caseload with much greater ease and at less expense.

Staffing and Establishment

5.6 This year has been quite a hectic year for our investigations staff as the number of complaints was the second highest since our establishment in 1989. The flexibility gained with delinking facilitates our review and reinforcement of our workforce as and when necessary to cope with sudden upsurge of cases and volume of direct investigations.

5.7 Given the steady increase in caseload over the past five years, we consider enhancement of our full-time complement justified. In 2008/09, we recruited six more regular investigation staff, partly for workload and partly for staff succession.

5.8 To cope with our increasing caseload, we plan to create a sixth team for case investigation. This will help ease the bottle-neck at the Chief Investigation Officer level. The addition of a new investigation team will not alter the organisational structure of our Office. The work schedules of our existing five teams will be reshuffled to ensure a balanced distribution of caseload.

5.9 Temporary and part-time investigation staff could be phased out gradually as more regular staff come on-stream.

5.10 This year, one Senior investigator and a Chief have retired. A few others may also be leaving for retirement or personal reasons in the coming year. The greater intake in 2008/09 has aimed at injecting new blood and preparing for succession.

Fig. 5.1 Organisational Structure

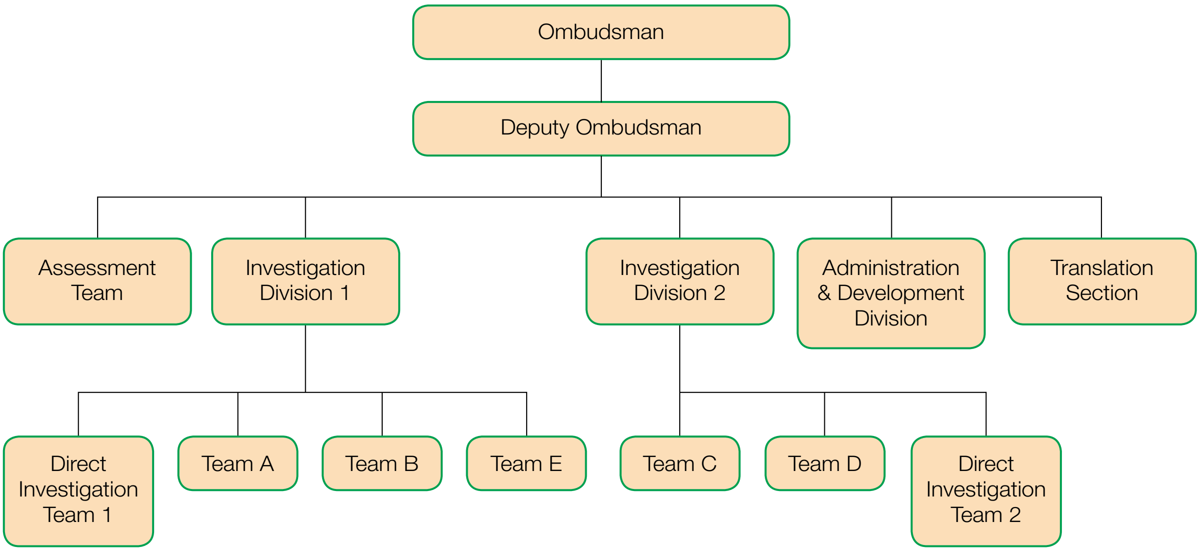

Fig. 5.2

Staffing Complement			
Breakdown of Staff	**As at 31.3.2007**	**As at 31.3.2008**	**As at 31.3.2009**
Directorate	4	4	4
Investigation	45	50	56
Administrative & Support	41	44	47
Total regular staff	**90**	**98**	**107**
Temporary investigation staff: equivalence to full-time posts (total man-days)	2.4 (698)	4.4 (1,171)	4.8 (1,268)
Temporary support staff	-	-	4
Grand Total	**92.4**	**102.4**	**115.8**

5.11 Apart from investigation staff, a few temporary full-time support staff were also engaged for improvement to document management. This is a project for converting all complaint and investigation files from physical to electronic form for better record management and more effective use of office space.

Staff Training

5.12 To enable our new recruits to discharge their duties effectively soonest possible, we organised two induction courses in January and March 2009, for all new colleagues joining us within the year. Each lasted for a few days and covered a wide range of topics ranging from internal administrative support services, application and interpretation of The Ombudsman Ordinance to sharing of experiences in complaint handling and investigation. Both courses were highly valued by all participants. Some serving staff also took the opportunity to refresh their knowledge and skills. With the participants' feedback, we will fine-tune the course content and schedule so as to maximise its benefits.

Fig. 5.3 Induction Training

5.13 To enhance the exposure and broaden the outlook of our investigation staff, we invited guest speakers from kindred organisations to give talks and briefings from time to time on specific subjects relevant to our work.

5.14 In May 2008, Mr André Marin, the Ontario Ombudsman of Canada, conducted a two-day advanced course in "Systemic Investigations" for of our officers. The course was stimulating as it gave us an insight into how investigation could be more efficiently planned and effectively conducted. It also opened our eyes to how the ombudsman system can operate quite differently in another culture and setting.

5.15 We are also grateful to the Civil Service Training and Development Institute for sending its representative on 12 June 2008 to brief us on the new structure of Government after re-organisation since July 2007. The presentation was extremely useful to our investigation work as it facilitates better understanding on the division of responsibilities among all Government bureaux and departments under the Accountability System.

Fig. 5.4 Investigation Training by the Ontario Ombudsman

5.16 On 1 December 2008, we organised a briefing for all our staff on the "Race Discrimination Ordinance" to be in force from June 2009, as it had direct relevance to our frontline services. Our guest speaker from the Equal Opportunities Commission enlightened us on the key concepts of the new legislation and also enhanced our awareness of the consequential amendments to the existing anti-discrimination laws. On the occasion, we had a useful exchange on the extension of our services to the ethnic minority groups in the community.

Fig. 5.5 Briefing on "Race Discrimination Ordinance"

5.17 On language training, we continued to commission an English training course to sharpen the writing skills of our investigation staff. In addition, our Chief Translation Officer also conducted a talk on "Chinese Rhetoric" to better equip investigation staff for preparing Chinese investigation reports.

Document Management Project

5.18 As we move into the 21st year of operation, we have reviewed our record keeping system for better management of our complaint and investigation records and for more cost-effective

Fig. 5.6 Briefing on Government Structure

use of office space. As at 31 March 2009, we have over 60,000 files in our Confidential Registry. As a result of the review, we decided to digitise all these records for storage in a systematic, endurable and readily retrievable format.

5.19 A project team was established in October 2008 for this exercise. After a brief initial stage for learning, all team members have been progressing steadily. At the end of March, the complaint and investigation records for 1989 to 1994 had all been successfully transformed. We expect that the project can be completed in three to five years' time barring unforeseen circumstances.

Complaints against the Office

5.20 This year, we concluded a total of 15 complaints lodged against staff: their manners, our work practices and procedures or both. Four of the nine complaints on staff manner were found to be "partially substantiated" and this clearly reflected the need to improve our service in some areas, in particular, the tact and skills for effective communication. On each occasion, we counselled the staff concerned on their deficiencies for future improvement.

5.21 As for complaints on work systems and procedures, most of them were concerned with the time taken to conclude our inquiries or investigations. The heavy workload this year, coupled with the complex nature of some cases, had inevitably lengthened the processing time on some occasions. Nevertheless, we tried our best to conclude most of the cases within the six months as pledged. We treasure the lessons learned for streamlining our practices for more efficient and effective service delivery.

5.22 Broadly speaking, complaints against our staff often arose from dissatisfaction with our conclusions and decisions on their cases against Government departments and public organisations. These are really comments on our findings and perhaps the quality of our inquiries. In this regard, where we have ground for review and revisions, we will do so. Basically, we endeavour to do our best in the interest of fair and objective investigation.

Fig. 5.7

Complaints against the Office concluded in 2008/09

Nature	Substantiated	Partially Substantiated	Unsubstantiated	Incapable of Determination
Staff manner (including delay and negligence)	-	4	4	1
Work systems and procedures	-	1	3	-
Both staff manner and work systems and procedure	-	-	-	2
Total	**15**			